
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

ANA MARIA RAVINES DE SCHUR,
Plaintiff,

v.

UTAH DEPARTMENT OF WORKFORCE
SERVICES, OFFICE OF REFUGEES;
UTAH VALLEY REFUGEES IN PROVO,
UTAH; SALT LAKE CITY HOUSING
AUTHORITY; SELECT HEALTH CARE;
and VALLEY BEHAVIORAL HEALTH,

Defendants.

**ORDER ADOPTING [42] REPORT
AND RECOMMENDATION
TO DISMISS ACTION**

Case No. 2:22-cv-00039-DBB-DAO

District Judge David Barlow

The Report and Recommendation¹ issued by United States Magistrate Judge Daphne A. Oberg on July 27, 2023 recommends the court dismiss Plaintiff Ana Maria Ravines de Schur's ("Ms. Ravines de Schur") action.² The magistrate judge reasoned dismissal against Defendants Utah Department of Workforce Services, Salt Lake City Housing Authority, Valley Behavioral Health, and Select Health Care was proper because Ms. Ravines de Schur "fail[ed] to state any cognizable claim for relief"³ and "further opportunities to amend would be futile[.]"⁴ As to Defendant Utah Valley Refugees, the magistrate judge found Ms. Ravines de Schur's allegations "insufficient to establish subject-matter jurisdiction over [the] breach-of-contract claim[.]"⁵

¹ R. & R. to Dismiss Action, ECF No. 42.

² *Id.* at 10.

³ *Id.* at 6.

⁴ *Id.* at 10.

⁵ *Id.* at 6.

The magistrate judge advised Ms. Ravines de Schur of her right to object to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).⁶ Ms. Ravines de Schur did not file an objection.⁷ Because she filed no written objection by the specified deadline, the court reviews the Report and Recommendation for clear error.⁸ Having done so, the court finds that the magistrate judge's analysis and conclusions are sound and no clear error appears on the face of the record.

For these reasons, **IT IS HEREBY ORDERED** that the Report and Recommendation⁹ is ADOPTED. The court DISMISSES Plaintiff's action with prejudice except to the extent Plaintiff asserts state-law breach-of-contract claims; the court DISMISSES such claims without prejudice.

Signed August 15, 2023.

BY THE COURT



David Barlow
United States District Judge

⁶ *Id.* at 10.

⁷ See Docket.

⁸ *Johnson v. Progressive Leasing*, No. 2:22-cv-00052, 2023 WL 4044514, at *2 (D. Utah June 16, 2023) (citing *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999)). “[A] party’s objections to the magistrate judge’s report and recommendation must be both timely and specific to preserve an issue for de novo review by the district court or for appellate review.” *Port City Props. v. Union Pac. R. Co.*, 518 F.3d 1186, 1190 n.1 (10th Cir. 2008) (alteration in original) (quoting *United States v. 2121 E. 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996)).

⁹ ECF No. 42.